

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, APRIL 26, 2004**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:05 p.m. on Monday, April 26, 2004, with President Boyd presiding.

Councillor Cain led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Boyd instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty, Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 ABSENT:*

President Boyd stated that due to new legislation passed by the General Assembly a representative may be selected to fill the seat temporarily of a government official called to active military duty. He said that Councillor Lance Langsford is now serving in Bosnia, and his wife Rebecca Langsford has been sworn in to fill his seat until his return. He welcomed Mrs. Langsford as the newest member of the Council. Councillor Sanders said that this is a historical occasion for the Council body to be represented by over 33% female members. She welcomed Councillor Langsford.

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Gibson recognized constituents Mark Bremerly and Bob Olson. Councillor Mansfield introduced her son Sergeant James Mansfield, a United States Marine home on leave. Councillor

Gray recognized residents of the Northern Estates subdivision. Councillor Abdullah recognized former Councillor Frank Short. Councillor Randolph recognized Indianapolis Fire Department Chief Louis Dezelan and Jesse Moore of the Indianapolis Chamber of Commerce. Councillor Nytes recognized Larry Ryan, president of the Southside Democrat Club. Councillor Pfisterer recognized the Indiana Pacers basketball team for their sweep in the first round of the finals and wished them well in subsequent rounds. Councillor Mahern recognized constituents from the Acorn neighborhood.

## **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 26, 2004, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Rozelle Boyd  
President, City-County Council

April 13, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, April 14, 2004, and in the *Indianapolis Star* on Thursday, April 15, 2004, a copy of a Notice of Public Hearing on Proposal Nos. 155, 198-204, and 230, 2004, said hearing to be held on Monday, April 26, 2004, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

April 13, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following resolution:

SPECIAL RESOLUTION NO. 11, 2004 - approves the Installment Tax Payment Plan for certain real estate taxes

Respectfully,  
s/Bart Peterson, Mayor

*April 26, 2004*

April 23, 2004

TO PRESIDENT BOYD AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 36, 2004 - approves an increase of \$375,000 in the 2004 Budget of the Department of Public Works, Engineering Division (Non-Lapsing State of Indiana Grants Fund), to make improvements to an existing sewer lift station and the roadway along the Hague Road Corridor for Roche Diagnostics, financed by a grant from the Indiana Department of Commerce

FISCAL ORDINANCE NO. 37, 2004 - approves an increase of \$105,000 in the 2004 Budget of the Marion County Cooperative Extension (County Grants Fund) for purposes of funding the Youth Program Assistant position through 2006, funded by Marion County 4-H Clubs, Inc.

FISCAL ORDINANCE NO. 38, 2004 - approves an increase of \$1,072,187 in the 2004 Budget of the Department of Public Safety, Police Division (Federal Grants and Non-Lapsing Federal Grants Funds) to continue domestic violence, weed and seed, and Police Athletic League (PAL) programs, as well as fund overtime projects within the Project Safe Neighborhood, New Approach Anti-Drug Initiative, Creating Cultures of Integrity, and Project ACE from the Indiana department of Health, financed by federal grants

FISCAL ORDINANCE NO. 44, 2004 - approves an increase of \$60,877 in the 2004 budget of the Marion County Justice Agency (Conditional Release Fund) for the Evaluation of the Arrestee Processing Center Project

FISCAL ORDINANCE NO. 46, 2004 - approves a transfer of \$214,000 in the 2004 Budget of the Department of Metropolitan Development (Federal Grants and City Cumulative Capital Improvement Fund) to replace the drawbridge at the Canal and to acquire properties and complete construction activities at the Keystone Enterprise Park

FISCAL ORDINANCE NO. 48, 2004 - approves a transfer of \$202,904 in the 2004 Budget of the Marion County Justice Agency (Drug Free Community Fund) to transfer funds to support salaries for the Public Defender Agency, Marion Superior Court, Prosecutor, and Justice Agency, per grant awards

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2004 - approves an increase of \$401,500 in the 2004 Budget of the Department of Public Works, Operations Division (Solid Waste Collection Fund), to continue the program of placing 96-gallon trash receptacles in neighborhoods to enhance cleanliness, safety of neighborhoods and to discourage illegal dumping, financed by fund balance

GENERAL RESOLUTION NO. 4, 2004 - authorizes the Department of Public Works to implement a parking meter blackout for the area bounded by St. Clair Street, South Street, East Street, and West Street on May 28, 2004 to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle

GENERAL ORDINANCE NO. 11, 2004 - authorizes the office of corporation counsel to provide legal representation to any municipal corporations of the city upon consent of the mayor and the municipal corporation

GENERAL ORDINANCE NO. 12, 2004 - authorizes parking restrictions on Riverside Drive from 29th Street to 30th Street

GENERAL ORDINANCE NO. 13, 2004 - authorizes parking restrictions on Cleveland Street between Ohio Street and Michigan Street

GENERAL ORDINANCE NO. 14, 2004 - authorizes a change in parking meters on Washington Street from Senate Avenue to Capitol Avenue to accommodate a new taxi zone

GENERAL ORDINANCE NO. 15, 2004 - authorizes parking restrictions on Washington Street between Delaware Street and Alabama Street

SPECIAL RESOLUTION NO. 10, 2004 - recognizes Cordelia M. Lewis Burks, Indiana's Director of Politics and Legislation for AFSCME

Respectfully,  
s/Bart Peterson, Mayor

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

## **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of April 12, 2004. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 251, 2004. The proposal, sponsored by Councillors Bradford and Mansfield, recognizes Janice Roger, Cantor of the Indianapolis Hebrew Congregation for the past 25 years. Councillor Mansfield read the proposal and presented Ms. Roger with a copy of the document and a Council pin. Ms. Roger recognized members of her congregation in attendance and thanked the Council for the recognition. Councillor Bradford thanked Ms. Roger for all she has done for the City of Indianapolis and his family in particular. Councillor Mansfield moved, seconded by Councillor Bradford, for adoption. Proposal No. 251, 2004 was adopted by a unanimous voice vote.

Proposal No. 251, 2004 was retitled SPECIAL RESOLUTION NO. 12, 2004, and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 12, 2004**

A SPECIAL RESOLUTION recognizing Janice Roger, Cantor of the Indianapolis Hebrew Congregation for the past 25 years.

WHEREAS, Cantor Janice Lowenstein Roger has served Indianapolis Hebrew Congregation, the largest Jewish congregation in Indiana, very well for the past 25 years; and

WHEREAS, a cantor is considered a part of the clergy, and is responsible for the music, of which Cantor Roger has done in an outstanding manner with beautiful singing and chanting prayers at all events, services and holidays for the congregation; and

WHEREAS, a Chicago native, Cantor Roger has organized "Tradition, Tradition: A Festival of Jewish Cultural Arts," which is a biennial celebration of Jewish culture, and has served in many important roles in the local arts community including Young Audiences of Indiana, United Way of Central Indiana Allocations Committee, the Indianapolis Chamber Orchestra, and many others; now, therefore:

### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council recognizes the 25<sup>th</sup> Anniversary of Janice Roger, Cantor of the Indianapolis Hebrew Congregation.

SECTION 2. May her work prosper in promoting knowledge about, and enjoying, the rich traditions of Judaism and its music.

SECTION 3. The Council wishes the very best to Cantor Rogers, to her husband Brandon, and their sons Edwin and Miles.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

*April 26, 2004*

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 252, 2004. The proposal, sponsored by Councillor Schneider, recognizes the May 6, 2004, National Day of Prayer. Councillor Schneider read the proposal and moved for its adoption. Councillor Talley seconded the motion, and Proposal No. 252, 2004 was adopted by a unanimous voice vote.

Proposal No. 252, 2004 was retitled COUNCIL RESOLUTION NO. 49, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 2004

A COUNCIL RESOLUTION recognizing the May 6, 2004, National Day of Prayer.

WHEREAS, throughout the history of America, our people have offered prayers of thanksgiving for our God-given rights and the blessings which we enjoy, as well as prayers for guidance, comfort, and protection; and

WHEREAS, in times of joy and times of peril, our Presidents, from George Washington to George W. Bush have called upon Americans to pray to our Creator; and

WHEREAS, observance of a National Day of Prayer was first declared by the Continental Congress in 1775; and

WHEREAS, the United States Congress in 1952 and again in 1988 reconfirmed this observance by proclaiming the first Thursday of May of each year as a National Day of Prayer; and

WHEREAS, the theme of the May 6, 2004 National Day of Prayer is "Let Freedom Ring" and as the war in Iraq continues, we are encouraged to pray for our troops defending freedom everywhere; now, therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council encourages our citizens to observe this day individually, as families, and as a community by joining their fellow citizens in praying for God's continuing guidance, comfort and protection of our Nation.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 253, 2004. The proposal, sponsored by Councillors Talley, Mahern, Gibson, Brown, and Oliver, concerns the availability of budget information. Councillor Bradford moved, seconded by Councillor Schneider, to refer Proposal No. 253, 2004 to a committee as per Sec. 151-6-1-8 of the Revised Code. Councillor Talley stated that he has no objection to referring the proposal to committee. Proposal No. 253, 2004 was referred to committee by a unanimous voice vote. President Boyd referred Proposal No. 253, 2004 to the Rules and Public Policy Committee.

PROPOSAL NO. 89, 2004. Councillor Sanders reported that the Rules and Public Policy Committee heard Proposal No. 89, 2004 on April 13, 2004. The proposal, sponsored by Councillor Boyd, appoints Deborah Bonnet to the Board of Ethics. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Talley, for adoption. Proposal No. 89, 2004 was adopted by a unanimous voice vote.

Proposal No. 89, 2004 was retitled COUNCIL RESOLUTION NO. 50, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 2004

A COUNCIL RESOLUTION appointing Deborah Bonnet to the Board of Ethics.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Ethics, the Council appoints:

Deborah Bonnet

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 123, 2004. Councillor Conley reported that the Public Works Committee heard Proposal No. 123, 2004 on April 15, 2004. The proposal, sponsored by Councillor Conley, appoints Sue Schalk to the Board of Public Works. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 123, 2004 was adopted by a unanimous voice vote.

Proposal No. 123, 2004 was retitled COUNCIL RESOLUTION NO. 51, 2004, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 2004

A COUNCIL RESOLUTION appointing Sue Schalk to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council appoints:

Sue Schalk

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 211, 2004. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 211, 2004 on April 22, 2004. The proposal, sponsored by Councillors Gray, Sanders, Conley and Boyd, appoints Emily Nichols to the Board of Parks and Recreation. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 211, 2004 was adopted by a unanimous voice vote.

Proposal No. 211, 2004 was retitled COUNCIL RESOLUTION NO. 52, 2004, and reads as follows:

*April 26, 2004*

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 2004

A COUNCIL RESOLUTION appointing Emily Nichols to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council appoints:

Emily Nichols

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2004. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

President Boyd stated that all Councillors should have received a memo from himself and Vice President Sanders regarding the budget hearings that are being scheduled. He said that it is important that Councillors participate fully in these additional committee meetings when possible. He added that these hearings are not pre-budget discussions on the 2005 budget, but are intended to be another examination of the 2004 budget. He said that the City and County are facing serious fiscal issues and these hearings are important. He said that the hearings are not intended to be public hearings, but are rather information gathering meetings to help Council members make intelligent decisions. President Boyd said that he has asked Vice President Sanders to coordinate this effort, and encouraged Councillors not to get ahead of themselves and make premature decisions internally by committee. He encouraged Councillors to instead take a holistic approach and look at opportunities for savings and cuts in the budget across committee boundaries.

Vice President Sanders thanked all Council members for making themselves available for these additional hearings. She said that while it means some additional work for Councillors, there is a great need to find revenues to address shortfalls.

Councillor Randolph said that he appreciates the work the leadership is doing in trying to address the revenue shortfalls, but asked if these requests for information will preclude Councillors from requesting information from an agency on their own. President Boyd said that he would prefer that the agencies not be faced with a proliferation of requests and that such requests go through Vice President Sanders. Councillor Randolph said that he understands the need for this information, but as a district Councillor, his first responsibility is to his district constituents. Councillor Sanders said that requests for budget information have been made for all Committee members prior to the hearings. Any information needed above and beyond these budget numbers is certainly within the rights of a Councillor to request on their own. Councillor Randolph said that his concern stems from the fact that he asked for additional information from the Mayor's Office and Controller's Office two weeks ago and still has not received anything. Councillor Gibson suggested Councillor Randolph use Kent Burrow, Chief Financial Officer for the Council, as a resource, as he may already have the information Councillor Randolph is seeking. Councillor Talley said that Councillors need to be mindful of requests so that agencies are not bombarded with extra projects and therefore unable to perform normal duties. Councillor Nytes said that all Councillors have the right to ask for public documents and information to better serve their constituents, and these budget hearings should not impede that normal process.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 234, 2004. Introduced by Councillors Nytes, Boyd, Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Dr.

Thomas Inui to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 235, 2004. Introduced by Councillors Nytes, Mansfield and Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which creates a county rainy day fund and a city rainy day fund as authorized by IC 36-1-8-5.1"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 236, 2004. Introduced by Councillor McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$34,287 in the 2004 Budget of the County Prosecutor (State and Federal Grants Fund) to pay for expenses related to the Victim Advocate Unit"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 237, 2004. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves certain public purpose grants totaling \$1,625,000 for the support of the arts"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 238, 2004. Introduced by Councillors Conley and Speedy. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which modifies the existing sewer use ordinance to comply with requirements set forth in the City's National Pollution Discharge Elimination System (NPDES) permit"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 239, 2004. Introduced by Councillor Bowes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions for Patricia Street from 30th Street to Brittany Road"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 240, 2004. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Mooresville Road between Wycliff E. Drive and Oaknoll Drive"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 241, 2004. Introduced by Councillor Speedy. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for Edgewood Avenue and Gray Road"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 242, 2004. Introduced by Councillor Cain. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Bay Vista E. Drive and W. Drive near 9th Street"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 243, 2004. Introduced by Councillor Keller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a one-way restriction on Dearborn Street between New York Street and Michigan Street"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 244, 2004. Introduced by Councillor Cain. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a traffic signal for the



intersection of Hague Road and 89th Street"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 245, 2004. Introduced by Councillors Boyd, Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Peter L. Blum to the Cable Franchise Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 246, 2004. Introduced by Councillors Boyd and Bowes. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which permits county constitutional officeholders to serve on the Information Technology Board by annual proxy"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 247, 2004. Introduced by Councillors Boyd, Mahern, Mansfield, Nytes, Oliver and Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a local polling place advisory council to provide assistance in choosing polling places"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 248, 2004. Introduced by Councillors Nytes and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which clarifies the powers and duties of the internal audit agency and causes them to apply equally to both city and county departments, divisions, and agencies"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 249, 2004. Introduced by Councillors Boyd, Sanders, Gray, Keller and Talley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes the Central Indiana Regional Transportation Authority"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 250, 2004. Introduced by Councillors Talley, Nytes, Mansfield, Brown and Oliver. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes the procedures and requirements for execution of city and county contracts, to establish an official repository and database for such contracts and to clarify the authority of the corporation counsel regarding contracts for independent legal counsel"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 254, 2004. Introduced by Councillors Boyd, Oliver, Talley and Plowman. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves a transfer and appropriation of \$2,354,000 in the 2004 Budget of the Department of Public Safety, Police Division (Police General and Police Pension Funds), to cover 2003 back pay and other payroll and pension costs associated with the three year (2003-2005) collective bargaining agreement recently approved with the Fraternal Order of Police, financed by fund balances"; and the President referred it to the Rules and Public Policy Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 232, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 232, 2004 on April 19, 2004. The proposal, sponsored by Councillor Talley, is an inducement resolution for Turtle Creek Apartments, LLC in an amount not to exceed \$10,000,000 which consists of the acquisition and rehabilitation of the existing 262-unit multi-family housing residential rental project known as Turtle Creek Apartments located at

8265 Harcourt Road (District 2). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams stated that she will abstain from voting on Proposal No. 232, 2004 to avoid the appearance of a conflict of interest.

Councillor Talley moved, seconded by Councillor Mansfield, for adoption. Proposal No. 232, 2004 was adopted on the following roll call vote; viz:

*22 YEAS: Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy, Talley*

*1 NAY: Keller*

*6 NOT VOTING: Abdullah, Cain, Franklin, Moriarty Adams, Plowman, Randolph*

Proposal No. 232, 2004 was retitled SPECIAL RESOLUTION NO. 13, 2004, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 13, 2004

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, rehabilitation, construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the Company; and

WHEREAS, MULTIFAMILY REDEVELOPMENT FOUNDATION – TURTLE CREEK APARTMENTS, LLC or its assigns (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to consist of the acquisition and rehabilitation of the existing 262-unit Turtle Creek Apartments located on an approximately 8.494 acre parcel of land at 8265 Harcourt Road, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the acquisition and rehabilitation of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and rehabilitation of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation and retention of opportunities for gainful employment within the jurisdiction of the Issuer.

*April 26, 2004*

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$10,000,000 under the Act to be privately placed or publicly offered if permitted under current Commission policy for the acquisition and rehabilitation of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition and rehabilitation of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition and rehabilitation of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires on December 31, 2004, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by this Council prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in the aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition and rehabilitation of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the Project to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the Project. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This Council recognizes that the Applicant intends to utilize Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. The Council hereby finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Applicant. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Mayor of the City of Indianapolis (the "Mayor") is hereby directed to delegate to the Director, Department of Metropolitan Development, the authority to execute on behalf of the Mayor and the Issuer any and all documents required in the application process for tax credit or volume cap allocations from the appropriate State of Indiana agency. In reliance upon the representations of the Applicant, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 233, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 233, 2004 on April 19, 2004. The proposal, sponsored by

Councillor Talley, is an inducement resolution for Herman & Kittle Properties, Inc. in an amount not to exceed \$15,000,000 for the new construction of a 272-unit apartment community to be located at 8801 Evergreen Avenue (District 3). By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Speedy stated that he will abstain from voting on Proposal No. 233, 2004 to avoid the appearance of a conflict of interest.

Councillor Talley moved, seconded by Councillor Nytes, for adoption. Proposal No. 233, 2004 was adopted on the following roll call vote; viz:

*22 YEAS: Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Schneider, Talley*  
*2 NAYS: Keller, Sanders*  
*5 NOT VOTING: Abdullallah, Franklin, Plowman, Randolph, Speedy*

Proposal No. 233, 2004 was retitled SPECIAL RESOLUTION NO. 14, 2004, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 14, 2004

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the Company; and

WHEREAS, Herman & Kittle Properties, Inc. or its assigns (the "Applicant"), has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to consist of new construction of a 272-unit apartment community located at 8801 Evergreen Avenue, Indianapolis, Indiana (the "Project"); and

WHEREAS, the diversification of industry and the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the acquisition and rehabilitation of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens;

WHEREAS, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and rehabilitation of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the retention of opportunities for gainful employment within the jurisdiction of the Issuer, is desirable, serves a public purpose, and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the creation and retention of opportunities for gainful employment within the jurisdiction of the Issuer.

*April 26, 2004*

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$15,000,000 under the Act to be privately placed or publicly offered if permitted under current Commission policy for the acquisition and rehabilitation of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition and rehabilitation of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition and rehabilitation of the Project, this Council hereby finds, determines, ratifies and confirms that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that this inducement resolution expires on December 31, 2004, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by this Council prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action, extends the term of this inducement resolution; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds, provided that at the time of the proposed issuance of such bonds (a) this inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during that calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in the aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of this resolution, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition and rehabilitation of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the Project to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the Project. Also certain indirect expenses incurred prior to such date will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This Council recognizes that the Applicant intends to utilize Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. The Council hereby finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Applicant. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Mayor of the City of Indianapolis (the "Mayor") is hereby directed to delegate to the Director, Department of Metropolitan Development, the authority to execute on behalf of the Mayor and the Issuer any and all documents required in the application process for tax credit or volume cap allocations from the appropriate State of Indiana agency. In reliance upon the representations of the Applicant, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHFA's qualified allocation plan.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NOS. 255-258, 2004. Introduced by Councillor Talley. Proposal Nos. 255-258, 2004 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 19, 2004. The President called for any motions for public hearings on any of those zoning maps changes.

Councillor Schneider made the following motion:

Mr. President:

I move that Proposal No. 256, 2004 (Rezoning Case 2003-ZON-170) be scheduled for a hearing before this Council at its next regular meeting on Monday, May 17, 2004 at 7:00 p.m. and that the General Counsel read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Talley seconded the motion, and Proposal No. 256, 2004 was scheduled for public hearing on May 17, 2004 by a voice vote and is identified as follows:

2003-ZON-170  
6373 RUCKER ROAD (approximate address), INDIANAPOLIS.  
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT #4  
STAN'S SIGN DESIGN, by Robert V. Clutter, requests a rezoning of two acres, being in the SU-1 District, to the C-S classification to provide for a 6,000 square foot commercial building with administrative offices and a custom sign design facility.

Aaron Haith, General Counsel, read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 2003-ZON-170, Council Proposal No. 256, 2004, at its next regular meeting on Monday, May 17, 2004, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone two acres at 6373 Rucker Road from the SU-1 District to the C-S classification to provide for a 6,000 square foot commercial building with administrative offices and a custom sign design facility.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

Councillor Bowes made the following motion:

Mr. President:

I move that Proposal No. 255, 2004 (Rezoning Case 2003-ZON-148/2003-DP-020) be scheduled for a hearing before this Council at its next regular meeting on Monday, May 17, 2004 at 7:00 p.m. and that the General Counsel read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Gray seconded the motion and Proposal No. 255, 2004 was scheduled for public hearing on May 17, 2004 by a unanimous voice vote and is identified as follows:

2003-ZON-148 (2003-DP-020)  
3901 GUION ROAD, 3350 WEST 38<sup>TH</sup> STREET, 3802 KESSLER BOULEVARD, NORTH DRIVE (approximate addresses), INDIANAPOLIS.  
PIKE AND WASHINGTON TOWNSHIPS, COUNCILMANIC DISTRICT #2  
BAY DEVELOPMENT CORPORATION, by Thomas Michael Quinn, requests a rezoning of 61.79 acres, being in the D-A and D-3 Districts, to the D-P classification to provide for 289 single-family dwellings at a density of 4.68 units per acre.

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Aaron Haith, General Counsel, read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 2003-ZON-148 (2003-DP-020), Council Proposal No. 255, 2004, at its next regular meeting on Monday, May 17, 2004, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 61.79 acres at 3901 Guion Road, 3350 West 38<sup>th</sup> Street, and 3802 Kessler Boulevard, North Drive, from D-A and D-3 Districts to D-P classification to provide for 289 single-family dwellings at a density of 4.68 units per acre.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 230, 2004. Councillor Talley reported that Proposal No. 230, 2004 was called out and scheduled for a public hearing on April 12, 2004. The proposal, sponsored by Councillor Talley, is a rezoning ordinance for Warren Township, Councilmanic District 17, 5301 Massachusetts Avenue (approximate address) (2004-ZON-001). Councillor Talley made the following motion:

Mr. President:

I am pleased to report that the original developers involved in the rezoning at 5301 Massachusetts Avenue have advised that they will not oppose the rezoning as long as the Council is made aware of the fact that the project for which the rezoning was sought is no longer a factor in the rezoning issue. There were no further remonstrators at any of the public hearings, and it will not be necessary to have a full public hearing on this matter. Therefore, I move that Proposal No. 230, 2004 (Rezoning Petition No. 2004-ZON-001) be adopted.

Councillor Moriarty Adams seconded the motion, and Proposal No. 230, 2004 was adopted on the following roll call vote; viz:

*28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 NAYS:*  
*1 NOT VOTING: Plowman*

Proposal No. 230, 2004 was retitled REZONING ORDINANCE NO. 51, 2004, and is identified as follows:

2004-ZON-001  
5301 MASSACHUSETTS AVENUE (approximate address), INDIANAPOLIS.  
WARREN TOWNSHIP, COUNCILMANIC DISTRICT #17  
IFCO TRANSPORT, INCORPORATED, by David Kingen, requests a rezoning of 7.02 acres, being in the I-2-U (FF) (FW) District, to the I-3-U (FF) (FW) classification to provide for industrial uses.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

There being no further motions for public hearings, Proposal Nos. 257 and 258, 2004, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 52 and 53, 2004, the original copies of which

ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 52, 2004.

2003-ZON-172

1830 SOUTH GERMAN CHURCH ROAD (approximate address), INDIANAPOLIS.

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #13

K.C.S. PROPERTIES, LLC, by Michael J. Kias, requests a rezoning of 81.20 acres, being in the D-A (FF) (FW) District, to the D-3 (FF) (FW) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 53, 2004.

2003-ZON-188 (2003-DP-026)

6667 and 6669 JUNCTION LANE and 6627 and 6629 FERGUSON STREET (approximate addresses) INDIANAPOLIS.

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 2

JACOB ACQUISITIONS, LLC, by Stephen D. Mears, requests a rezoning of 2.28 acres, being in the C-2 (FF) (FW), D-4 (FF) (FW), and DP (FF) (FW) Districts, to the D-P (FF) (FW) classification to provide for multi-family residential development with a density of 27.19 units per acre.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 155, 2004. Councillor Sanders reported that the Community Affairs Committee heard Proposal No. 155, 2004 on April 6, 2004. The proposal, sponsored by Councillor Sanders, approves an increase of \$154,942 in the 2004 budget of the Marion County Guardian Home (County General Fund) to fund additional staff, increase in utility expense and supplies. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford said that this is the same amount that was asked for last year as an above-guideline request and is not another increase. He said that he is glad they were able to find the funds to meet this request for this year.

President Boyd called for public testimony at 8:02 p.m.

Reverend Pamela M. Pinkney, citizen, said that no more money should be given to the Guardian Home, Juvenile Court, or Judge James Payne. She said that the Guardian Home is used as a tool to steal babies, sell babies, and ship babies. She said that her children were sexually abused by their father but the court system gave custody to him anyway. She said that the Council needs to re-think what they are doing in giving entities such as this more money.

Councillor Oliver said that Rev. Pinkney's comments are not really germane to this topic. Rev. Pinkney said that she is concerned about the cost to children who are medicated when they do not need to be and she will continue to fight for children and women who choose not to be abused.

There being no further testimony, Councillor Sanders moved, seconded by Councillor Talley, for adoption. Proposal No. 155, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy, Talley*

*0 NAYS:*

*2 NOT VOTING: Gray, Sanders*



April 26, 2004

Proposal No. 155, 2004 was retitled FISCAL ORDINANCE NO. 52, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 52, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 116, 2003) appropriating an additional One Hundred Fifty-four Thousand Nine Hundred Forty-two Dollars (\$154,942) in the County General Fund for purposes of the Marion County Guardian Home and reducing the unappropriated and unencumbered balance in the County General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(n) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Guardian Home to fund additional staff, increases in utility expense, and supplies.

SECTION 2. The sum of One Hundred Fifty-four Thousand Nine Hundred Forty-two Dollars (\$154,942) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY GUARDIAN HOME</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	74,880
Fringes	26,208
2. Supplies	25,000
3. Other Services and Charges	<u>28,854</u>
TOTAL INCREASE	154,942

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered	
County General Fund	<u>154,942</u>
TOTAL REDUCTION	154,942

SECTION 5. The projected December 31, 2004, fund balance for the County General Fund is as follows:

Current cash balance 01-01-04	7,829,989
Anticipated additional revenue through December 31, 2004	185,465,633
Anticipated additional revenue	4,250,146
Fiscal Request Community Corrections	570,000
Reimbursement from Office of Family and Children	<u>154,942</u>
Projected funds available	198,270,707
Remaining appropriations and encumbrances	196,401,487
Proposed additional appropriation	<u>154,942</u>
Funds required	196,556,429
Projected fund balance December 31, 2004	1,714,281

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 198-200 and 202-204, 2004 on April 14, 2004. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 198, 2004. The proposal, sponsored by Councillors Talley, Moriarty Adams and McWhirter, approves an increase of \$662,549 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants

Fund), to purchase security equipment to enhance physical security at the City-County Building, financed by a federal grant from the Office of Domestic Preparedness-Department of Homeland Security. PROPOSAL NO. 199, 2004. The proposal, sponsored by Councillors Talley, Moriarty Adams and McWhirter, approves an increase of \$45,077 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to acquire Pictometry technology, which provides high resolution, digital aerial photographs, as well as to fund promotional items for the Community Emergency Response Team (CERT), financed by a pass-through grant from the Federal Emergency Management Agency. PROPOSAL NO. 200, 2004. The proposal, sponsored by Councillors Talley, Moriarty Adams and McWhirter, approves an increase of \$2,182,278 in the 2004 Budget of the Department of Public Safety, Emergency Management and Planning Division (Non-Lapsing Federal Grants Fund), to purchase equipment to enhance communication, health care and law enforcement protection, and intelligence in order to improve overall terrorism response capability of Marion County, financed by a federal grant from the Office of Domestic Preparedness-Department of Homeland Security. PROPOSAL NO. 202, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$137,609 in the 2004 Budget of Marion County Community Corrections (Home Detention User Fee Fund) to fund a variety of projects pertaining to the improvement of inmate living areas in the Community Corrections Centers to home detention equipment and funding for two (2) additional screeners for the Arrestee Processing Center. PROPOSAL NO. 203, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$14,548 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants Fund) to appropriate carryover funds from 2003 to 2004 from a grant funded by the Department of Corrections to assist with the Community Transition Program. PROPOSAL NO. 204, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$92,712 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants Fund) to fund a substance abuse treatment program, funded by a grant from the Indiana Criminal Justice Institute. By unanimous votes, the Committee reported Proposal Nos. 198-200, 203, and 204, 2004 to the Council with the recommendation that they do pass and Proposal No. 202, 2004 to the Council with the recommendation that it do pass as amended.

President Boyd called for public testimony at 8:15 p.m.

Rev. Pinkney stated that she continues to ask questions at committee hearings and always leaves with no answers. She said that she is concerned that so much money is being spent on incarceration instead of rehabilitation, development, public transportation, and restoration of families. Councillor Plowman said that he appreciates Rev. Pinkney attending committee hearings and asking questions, but sometimes her questions are asked quickly or in a manner he does not immediately grasp, and it would be helpful if she would write her questions out, so that they could be addressed. Rev. Pinkney said that she will get Councillor Plowman a list of questions. President Boyd added that Rev. Pinkney is on his schedule to meet with him, and hopefully he can review these questions and get some answers for her, as well.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal Nos. 198-200, 203, and 204, 2004 and Proposal No. 202, 2004, as amended, were adopted on the following roll call vote; viz:

April 26, 2004

28 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

1 NOT VOTING: *Franklin*

Proposal No. 198, 2004 was retitled FISCAL ORDINANCE NO. 53, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 53, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Six Hundred and Sixty Two Thousand Five Hundred and Forty Nine Dollars (\$662,549) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Emergency Management and Planning Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Emergency Management and Planning Division to purchase security equipment to enhance physical security at the City-County Building, financed by a federal grant from the Office of Domestic Preparedness-Department of Homeland Security.

SECTION 2. The sum of Six Hundred and Sixty Two Thousand Five Hundred and Forty Nine Dollars (\$662,549) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>EMERGENCY MANAGEMENT AND PLANNING DIVISION</u>	<u>NON-LAPSING FEDERAL</u> <u>GRANTS FUND</u>
3. Other Services and Charges	50,000
4. Capital Outlay	<u>612,549</u>
TOTAL INCREASE	662,549

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL</u> <u>GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>662,549</u>
TOTAL REDUCTION	662,549

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in Section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 199, 2004 was retitled FISCAL ORDINANCE NO. 54, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 54, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Forty Five Thousand Seventy Seven Dollars (\$45,077) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Emergency Management and Planning Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Emergency Management and Planning Division to acquire Pictometry technology, which provides high resolution, digital aerial photographs, as well as to fund promotional items for the Community Emergency Response Team (CERT), financed by a pass-through grant from the Federal Emergency Management Agency (FEMA).

SECTION 2. The sum of Forty Five Thousand Seventy Seven Dollars (\$45,077) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY	<u>NON-LAPSING FEDERAL</u>
<u>EMERGENCY MANAGEMENT AND PLANNING DIVISION</u>	<u>GRANTS FUND</u>
3. Other Services and Charges	45,077
TOTAL INCREASE	45,077

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL</u>
	<u>GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	45,077
TOTAL REDUCTION	45,077

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 200, 2004 was retitled FISCAL ORDINANCE NO. 55, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 55, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 112, 2003) appropriating an additional Two Million One Hundred Eighty Two Thousand Two Hundred and Seventy Eight Dollars (\$2,182,278) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Emergency Management and Planning Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

April 26, 2004

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Emergency Management and Planning Division to purchase equipment to enhance communication, health care and law enforcement protection, and intelligence in order to improve overall terrorism response capability of Marion County, financed by a federal grant from the Office of Domestic Preparedness-Department of Homeland Security.

SECTION 2. The sum of Two Million One Hundred Eighty Two Thousand Two Hundred and Seventy Eight Dollars (\$2,182,278) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY	<u>NON-LAPSING FEDERAL</u>
<u>EMERGENCY MANAGEMENT AND PLANNING DIVISION</u>	<u>GRANTS FUND</u>
2. Supplies	116,244
3. Other Services and Charges	175,486
4. Capital Outlay	<u>1,890,548</u>
TOTAL INCREASE	2,182,278

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL</u>
	<u>GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>2,182,278</u>
TOTAL REDUCTION	2,182,278

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 202, 2004, as amended, was retitled FISCAL ORDINANCE NO. 56, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 56, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional One Hundred Thirty-seven Thousand Six Hundred Nine Dollars (\$137,609) in the User Fee Fund for purposes of Marion County Community Corrections and reducing the unappropriated and unencumbered balance in the Home Detention User Fee Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Community Corrections to fund a variety of projects pertaining to the improvement of inmate living areas in the Community Corrections Centers to home detention equipment and funding for two (2) additional screeners for the Arrestee Processing Center.

SECTION 2. The sum of additional One Hundred Thirty-seven Thousand Six Hundred Nine Dollars (\$137,609) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	37,054
Fringes	5,000
2. Supplies	2,860
3. Other Charges and Services	<u>92,695</u>
TOTAL INCREASE	137,609

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>HOME DETENTION USER FEE FUND</u>
Unappropriated and Unencumbered	
User Fee Fund	<u>137,609</u>
TOTAL REDUCTION	137,609

SECTION 5. The projected December 31, 2004, fund balance for the User Fee Fund is as follows:

Current cash balance as of February 29, 2004	1,051,648
Anticipated additional revenue through December 31, 2004	<u>381,303</u>
Projected funds available	1,432,951
 Remaining appropriations and encumbrances	588,194
Proposed additional appropriation	<u>137,609</u>
Projected fund balance December 31, 2004	707,148

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 203, 2004 was retitled FISCAL ORDINANCE NO. 57, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 57, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Fourteen Thousand Five Hundred Forty-eight Dollars (\$14,548) in the State and Federal Grants Fund for purposes of Marion County Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Community Corrections to appropriate carryover funds from fiscal year 2002/2003 to fiscal year 2003/2004 from a grant, funded by the Department of Correction to assist with the Community Transition Program.

SECTION 2. The sum of additional Fourteen Thousand Five Hundred Forty-eight Dollars (\$14,548) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Charges and Services	<u>14,548</u>
TOTAL INCREASE	14,548

April 26, 2004

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>14,548</u>
TOTAL REDUCTION	14,548

SECTION 5. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 204, 2004 was retitled FISCAL ORDINANCE NO. 58, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 58, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No. 114, 2003) appropriating an additional Ninety-two Thousand Seven Hundred Twelve Dollars (\$92,712) in the State and Federal Grants Fund for purposes of Marion County Community Corrections and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of Marion County Community Corrections to fund a substance abuse treatment program.

SECTION 2. The sum of Ninety-two Thousand Seven Hundred Twelve Dollars (\$92,712) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	4,636
3. Other Charges and Services	<u>88,076</u>
TOTAL INCREASE	92,712

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>92,712</u>
TOTAL REDUCTION	92,712

SECTION 5. Local match funded by outside vendors.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

## SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 136, 2004. Councillor Boyd deferred to Councillor Sanders who reported that the Rules and Public Policy Committee heard Proposal No. 136, 2004 on March 16 and April 13, 2004. The proposal, sponsored by Councillor Sanders, provides for a mayoral line of succession that is consistent with the provisions of the Indiana Code. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

Councillor Schneider said that he will support the proposal, but wants it noted for the record that he believes the names and positions are very heavily concentrated on appointed positions instead of elected officials, which he believes should be reversed.

Councillor Sanders moved, seconded by Councillor Talley, for adoption. Proposal No. 136, 2004, as amended, was adopted on the following roll call vote; viz:

*28 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

*0 NAYS:*

*1 NOT VOTING: Franklin*

Proposal No. 136, 2004 was retitled GENERAL ORDINANCE NO. 16, 2004, and reads as follows:

### CITY-COUNTY GENERAL ORDINANCE NO. 16, 2004

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to provide for a mayoral line of succession that is consistent with the provisions of the Indiana Code.

#### BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 251-408 of the "Revised Code of the Consolidated City and County," regarding the mayor's emergency powers and procedures, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

#### **Sec. 251-408. Emergency powers and procedure.**

(a) The mayor shall, via executive order, designate a line of successors ~~which shall to~~ establish which government officials may act in his or her place in the event that both he whenever:

- (1) Under IC 36-3-3-3, the mayor is incapacitated and unable to make a designation and the president of the city-county council, as determined by the rules of succession established by the council, are absent from the county, deceased or ill is incapacitated to the extent that he or she is unable to perform the duties as acting mayor; or
- (2) The office of mayor becomes vacant and the chief deputy mayor is unable to assume the duties of that office as provided in IC 3-13-11.

(b) The mayor may, upon declaring a local disaster emergency, take such actions as are appropriate to assure the public well-being, safety of public and private property and the environment including, but not limited to, the imposition of travel bans on streets and highways; the imposition of curfews; the alteration of normal business working hours; the ordering of evacuation and relocation of civilian populations; all as may be necessary to effect emergency response and recovery.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.



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SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 205, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 205, 2004 on April 14, 2004. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$50,000 in the 2004 Budget of Marion County Community Corrections (State and Federal Grants Fund) to fund a position at the Marion County Community Court, funded by a grant from the Indiana Department of Correction. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No. 205, 2004 was adopted on the following roll call vote; viz:

27 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
0 NAYS:  
2 NOT VOTING: *Conley, Plowman*

Proposal No. 205, 2004 was retitled FISCAL ORDINANCE NO. 59, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 59, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) transferring and appropriating an additional Fifty Thousand Dollars (\$50,000) in the State and Federal Grants Fund for purposes of Marion County Community Corrections and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Marion County Community Corrections to transfer money to fund a position at the Marion County Community Court.

The sum of additional Fifty Thousand Dollars (\$50,000) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	38,612
Fringes	<u>11,388</u>
TOTAL INCREASE	50,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>50,000</u>
TOTAL DECREASE	50,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 206, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 206, 2004 on April 14, 2004. The proposal, sponsored by Councillor McWhirter, approves a transfer of \$32,500 in the 2004 Budgets of the Marion County Prosecutor and Auditor (State and Federal Grants Fund) to pay IPD's portion of overtime for probation sweeps, debriefing defendants, and intelligence gathering for gun trafficking. By a 4-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Franklin said that she participates in probation sweeps as part of her job, and therefore she will abstain from voting to avoid the appearance of a conflict of interest.

Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal No. 206, 2004 was adopted on the following roll call vote; viz:

27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley  
0 NAYS:  
2 NOT VOTING: Conley, Franklin

Proposal No. 206, 2004 was retitled FISCAL ORDINANCE NO. 60, 2004, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 60, 2004

A FISCAL ORDINANCE amending the City-County Annual Budget for 2004 (City-County Fiscal Ordinance No.114, 2003) transferring and appropriating an additional Thirty-two Thousand Five Hundred Dollars (\$32,500) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and Auditor and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(c) of the City-County Annual Budget for 2004 be, and is hereby, amended by he increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to transfer funds to pay IPD's portion of overtime for probation sweeps, debriefing defendant and intelligence gathering for gun trafficking.

SECTION 2. The sum of additional Thirty-two Thousand Five Hundred Dollars (\$32,500) be, and the same is hereby, transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other services and charges	<u>32,500</u>
TOTAL INCREASE	32,500

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY AUDITOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services-fringes	4,630

  

<u>MARION COUNTY PROSECUTOR</u>	
1. Personal Services	<u>27,870</u>
TOTAL DECREASE	32,500

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 207, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 207, 2004 on April 19, 2004. The proposal, sponsored by Councillors Nytes and Keller, amends the zoning ordinance to allow the Indianapolis Historic Preservation Commission to set height standards in D-8 zones within historic districts. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Abdullallah asked how the Indianapolis Historic Preservation Commission (IHPC) differs from the Metropolitan Development Commission (MDC). David Baker, administrator of IHPC, said that MDC deals with all zoning variance issues, and IHPC only deals with projects in the 13 historic districts.

Councillor Talley moved, seconded by Councillor Nytes, for adoption. Proposal No. 207, 2004 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Day, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*2 NAYS: Conley, Gray*

Proposal No. 207, 2004 was retitled GENERAL ORDINANCE NO. 17, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 17, 2004

PROPOSAL FOR A GENERAL ORDINANCE to amend the portions of the Dwelling District Zoning Ordinance.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 731-212 of the "Revised Code of the Consolidated City and County," hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

**Sec. 731-212. D-8 dwelling district eight regulations**

Statement of purpose. The D-8 district is a unique district designed for application in older developed urban areas. The district allows as permitted uses all forms of residential development except mobile dwellings. The district is designed to provide for the wide range and mixture of housing types found in older, inner-city neighborhoods, as well as along older residential/commercial thoroughfares. Another important application of this district is in areas that are experiencing renewal either by public action or by natural process. The district requires all the amenities of the D-7 district. The D-8 district has a typical density range of five (5) to twenty-six (26) units per gross acre depending upon the type of development. This district represents the high density residential classification of the comprehensive general land use plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing conditions, including vegetation, topography, drainage and wildlife.

(a) Permitted D-8 uses. The following uses shall be permitted in the D-8 district. Only one primary use shall be permitted per lot. All uses in the D-8 district shall conform to the D-8 development standards (section 731-212(b) and (c)) and the dwelling district regulations of section 731-200.

(1) Primary uses.

- a. Urban dwelling or dwellings, including one of the following: single-family, two-family, and attached multifamily dwellings, including a manufactured home as regulated in section 731-222.
- b. Group home, as defined in section 731-102 and as regulated in section 731-200(a)(8).

- c. Religious use, as regulated in section 731-224.
- (2) Temporary uses, as regulated in section 731-218.
- (3) Accessory uses, as regulated in section 731-219.
- (4) Home occupations, as regulated in section 731-220.
- (b) D-8 development standards, single- and two-family.
  - (1) Minimum lot area. There shall be no required lot area other than the land area necessary to provide for the development requirements of paragraphs 2, 3, 4 and 6 of this subsection (b).

Provided, however: Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.
  - (2) Minimum lot width and frontage.
    - a. Minimum lot width at the required setback line: Thirty (30) feet.
    - b. Minimum lot street frontage: Each lot shall have at least thirty (30) feet of frontage on a public street and shall gain direct access from either said street or an abutting alley.
  - (3) Minimum setback lines and yards.
    - a. Minimum setback lines and front yard: Front yards having a minimum depth in accordance with the setback requirements of section 731-221(a) shall be provided along all public street right-of-way lines.
    - b. Minimum rear yard: Fifteen (15) feet.
    - c. Minimum side yards: Aggregate ten (10) feet. No side yard, however, shall be less than four (4) feet.
  - (4) Minimum open space: Fifty-five (55) percent of the lot area.
  - (5) Maximum height.
    - a. Primary building: Thirty-five (35) feet.
    - b. Accessory buildings: Twenty (20) feet.
  - (6) Minimum main floor area. Minimum main floor area of the primary building exclusive of garage, carports, and open porches:
    - a. One-story building: Nine hundred (900) square feet for each dwelling unit.
    - b. Building higher than one story: Six hundred sixty (660) square feet for each dwelling unit in the building, provided the total floor area of each unit shall be at least nine hundred (900) square feet.
  - (7) Off-street parking and public streets. Off-street parking areas and public streets shall be provided in accordance with section 731-221(c) and (e).
- (c) Development standards, multifamily project.
  - (1) Minimum project area. There shall be no required project area other than the land area necessary to provide for the development requirements of paragraphs 2, 3 and 5 of this subsection C.

Provided, however, attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in this district.

- (2) Minimum project width and frontage.
  - a. Minimum project width at the required setback line: Thirty (30) feet.
  - b. Minimum project street frontage: Each project shall have at least thirty (30) feet of frontage on a public street and shall gain direct access from said street.
- (3) Minimum setback lines and yards.
  - a. Minimum setback lines and front yard: Front yards having a minimum depth in accordance with the setback requirements of section 731-221(a) shall be provided along all public street right-of-way lines.
  - b. Minimum rear yard: Fifteen (15) feet.
  - c. Minimum side yards: At least twenty (20) percent of the project width measured at the front setback line shall be devoted to aggregate side perimeter yards, except not more than fifteen (15) feet for any one side perimeter yard need be so devoted. The least dimension of a side perimeter yard shall not be less than four (4) feet.
  - d. Minimum yards between buildings: In projects containing two (2) or more buildings, minimum yards for each building (in addition to the other requirements of this paragraph 3) shall be provided between all buildings, in accordance with the following standards:
    - 1. For buildings containing three (3) or four (4) dwelling units, the required minimum depth of such yards for each building shall be five (5) feet for each building.
    - 2. For buildings containing more than four (4) dwelling units, the required minimum depth of such yards for each building shall be determined in relation to the height and length of each such building wall and the placement of windows therein, as follows:
      - i. Wall containing any window, door, or combination thereof: The minimum depth of a building's yard shall be ten (10) feet, plus two (2) feet for each story in height plus one foot for each fifteen (15) feet in length of such wall.
      - ii. Wall not containing any window, door, or combination thereof: The minimum depth of a building's yard shall be five (5) feet, plus one foot for each story in height, plus one foot for each fifteen (15) feet in length of such wall.
    - 3. For permitted accessory uses, the required minimum depth of such yards shall be five (5) feet for each use.
    - 4. The distance between buildings shall in no case be less than the sum of the required minimum depths of such adjoining yards.
    - 5. The minimum depth of yards, for purposes of these standards, shall be measured perpendicular to the building wall at all points.
    - 6. Walls forming interior courts with a minimum width of ten (10) feet and serving only one building shall be exempt from the provisions of this paragraph d.
  - e. Use of required perimeter yards and yards between buildings: All yards shall meet the requirements of section 731-221(f). Said perimeter yards and yards between buildings shall only be used for open space with the exception of the following:
    - 1. Driveways, and,
    - 2. Interior access drives, open balconies, uncovered porches, patios, or structures which qualify as covered open space (as defined in section 731-102) may project or be located no more than five (5) feet into said yard, provided

however, in no case shall the permitted facilities be located closer than ten (10) feet to another structure.

3. Parking areas may be located in the yards between buildings, provided no parking area shall be closer than four (4) feet to any building.
- (4) Maximum height.
  - a. Primary buildings: Thirty-five (35) feet.
  - b. Accessory buildings: Twenty-five (25) feet.
- (5) Development amenities. Floor area, open space, livability space, recreation space and parking spaces shall be provided for each project in accordance with the following required ratios (all as defined in section 731-102):
  - a. Maximum floor area: Floor area ratio (FAR) 0.600.
  - b. Minimum open space: Open space ratio (OSR) 1.180.
  - c. Minimum livability space: Livability space ratio (LSR) 0.660.
  - d. Minimum major livability space: Major livability space ratio (MLSR) 0.110.
  - e. Minimum parking spaces: Total car ratio (TCR) 1.000.

In addition: site and development plans, landscape plans, trash enclosures, public streets, interior access drives, driveways and off-street parking areas shall be provided in accordance with section 731-221, Special regulations.

(d) D-8 district development standards exceptions. Any lot located within a locally designated historic preservation area as established by, and under the jurisdiction of, the Indianapolis Historic Preservation Commission (IHPC):

- (1) Not fronting on a thoroughfare, as designated on The Official Thoroughfare Plan for Marion County, Indiana, shall be exempt from the provisions of sections 731-212(b)(3) and 731-212(c)(3) of this ordinance regarding required minimum front, side and rear yard setbacks. The minimum required front, side and rear yard setbacks for lots located within such historic preservation areas shall be as determined by the IHPC. The minimum required front, side and rear yards shall be as set forth in and specified by the grant of a Certificate of Appropriateness following all procedures set forth by the IHPC.
- (2) Fronting on a thoroughfare, as designated on The Official Thoroughfare Plan for Marion County, Indiana, shall be exempt from the provisions of sections 731-212(b)(3) and 731-212(c)(3) of this ordinance regarding required minimum side and rear setbacks. The minimum required side and rear yard setbacks for lots located within such historic preservation areas shall be as determined by the IHPC. The minimum required side and rear yards shall be as set forth in and specified by the grant of a Certificate of Appropriateness following all procedures set forth by the IHPC.
- (3) Shall be exempt from the provisions of section 2.12, B., 5.a, and section 2.12, B., 5.b, of this ordinance regarding maximum height of primary buildings and accessory structures. The maximum height of primary buildings and accessory structures located within such historic preservation areas shall be as determined by the IHPC. The maximum height of primary and accessory buildings shall be set forth in and specified by the grant of a Certificate of Appropriateness following all procedures set forth by the IHPC.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining

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provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 208, 2004. Councillor Talley reported that the Metropolitan Development Committee heard Proposal No. 208, 2004 on April 19, 2004. The proposal, sponsored by Councillors Talley, Nytes, Pfisterer, Randolph, McWhirter, Gray and Bowes, designates the Lafayette Square Area as a community revitalization enhancement district (CRED). By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Bowes and Randolph expressed their support of the proposal and asked fellow Councillors to support it as well.

Councillor Bradford said that he has heard rumors of the outside stadium for the Indianapolis Colts being moved to this location in order to take advantage of the tax breaks. Councillor Talley said that this is simply a rumor as far as he knows.

Councillor Nytes commended the administration for putting this tool to use to encourage economic development. She encouraged the business community to respond by taking advantage of the benefits for development in the area.

Councillor Oliver asked about the boundaries for the project. Councillor Bowes stated that the boundaries are I-65 on the East, Moeller Road on the West, 34<sup>th</sup> Street on the South, and 38<sup>th</sup> Street on the North. He said that it is all retail area.

Councillor Gibson commended Mayor Bart Peterson and Department of Metropolitan Development (DMD) director Maury Plambeck for their hard work on this project.

Councillor Salisbury asked if there are property tax abatements offered. Councillor Talley stated that all tax abatements come from the State and are not local dollars.

Councillor Borst asked if this same program is the one being considered to revitalize the east side. Councillor Talley said that this was another similar program, but not a CRED. Councillor McWhirter added that only one CRED is allowed in any political jurisdiction at any one time. Another CRED could not be initiated until this one is completed.

Councillor Schneider asked if the City will be receiving less revenue in property taxes because of this program. Councillor Talley said that they will not, and this only applies to income tax, not property taxes.

Councillor Talley moved, seconded by Councillor Bowes, for adoption. Proposal No. 208, 2004 was adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*  
0 NAYS:

Proposal No. 208, 2004 was retitled GENERAL RESOLUTION NO. 5, 2004, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 5, 2004

PROPOSAL FOR A GENERAL RESOLUTION to permit the Mayor of the City of Indianapolis pursuant to Indiana Code § 36-7-13-10.1 to submit an application to an advisory commission on industrial development requesting that (1) one area within the city be designated as a community revitalization enhancement district.

WHEREAS, pursuant to Indiana Code § 36-7-13-5 the Mayor has appointed an advisory commission on industrial development (the "Commission"); and

WHEREAS, upon approval by the City-County Council (the "Council") as a legislative body of a city as set forth in Indiana Code § 36-7-13-10.1(a), Indiana Code § 36-7-13-10.1 permits the Mayor as an executive of a city as set forth in Indiana Code § 36-7-13-10.1(a) to submit an application to the Commission requesting that (1) one area within the city be designated as a community revitalization enhancement district; and

WHEREAS, the Mayor desires to submit an application to the Commission requesting that it designate the Lafayette Square area of the city as set forth in Exhibit A, attached hereto and made a part hereof (the "Lafayette Square Area"), as a community revitalization enhancement district as defined pursuant to Indiana Code § 36-7-13-1.6; and

WHEREAS, pursuant to Indiana Code § 36-7-13-10.1(b), the Mayor requests the Council to permit the Mayor to submit an application to the Commission requesting that the Lafayette Square Area be designated as a community revitalization enhancement district; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Indiana Code § 36-7-13-10.1, the Council hereby approves of the Mayor submitting an application to the Commission requesting that the Commission designate the Lafayette Square Area a community revitalization enhancement district as defined pursuant to Indiana Code § 36-7-13-1.6.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 213-225, 2004 on April 15, 2004. He asked for consent to vote on these proposals together. Councillor Borst asked that Proposal No. 225, 2004 be voted on separately. Consent was given to vote on Proposal Nos. 213-224, 2004 together.

PROPOSAL NO. 213, 2004. The proposal, sponsored by Councillor Borst, authorizes a multi-way stop at the intersection of Delaware Street and Hill Valley Drive (District 23). PROPOSAL NO. 214, 2004. The proposal, sponsored by Councillors Talley and Conley, authorizes a change in intersection controls within the Brendonway subdivision (District 11). PROPOSAL NO. 215, 2004. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Southern Ridge subdivision (District 25). PROPOSAL NO. 216, 2004. The proposal, sponsored by Councillor Cockrum, authorizes intersection controls for Bayberry Villages (District 22). PROPOSAL NO. 217, 2004. The proposal, sponsored by Councillor Cockrum, authorizes intersection controls for Harness Lakes at Wellingshire (District 22). PROPOSAL NO. 218, 2004. The proposal, sponsored by Councillors Conley and Brown, authorizes intersection controls for Orchard Valley Farms (District 18). PROPOSAL NO. 219, 2004. The proposal, sponsored by Councillor Cockrum, authorizes intersection controls for Sonesta (District 22). PROPOSAL NO. 220, 2004. The proposal, sponsored by Councillors Cockrum and Conley, authorizes intersection controls for Buck Creek Villages (District 22). PROPOSAL NO. 221, 2004. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for Woodland Trace (District 25). PROPOSAL NO. 222, 2004. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for Franklin Gardens (District



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25). PROPOSAL NO. 223, 2004. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for Bel Moore (District 25). PROPOSAL NO. 224, 2004. The proposal, sponsored by Councillors Mahern and Conley, authorizes parking restrictions on White River Parkway E. Drive from West Street to Morris Street (District 19). By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Plowman, for adoption. Proposal Nos. 213-224, 2004 were adopted on the following roll call vote; viz:

29 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*  
0 NAYS:

Proposal No. 213, 2004 was retitled GENERAL ORDINANCE NO. 18, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 18, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46	Delaware St Hill Valley Dr	Hill Valley Dr	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
46	Delaware St Hill Valley Dr	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 214, 2004 was retitled GENERAL ORDINANCE NO. 19, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13	Kenmore Rd 50 <sup>th</sup> Pl	50 <sup>th</sup> Pl	Yield
13	Kenmore Rd 55 <sup>th</sup> Pl	55 <sup>th</sup> Pl	Yield

13	Mark Ln 52 <sup>nd</sup> St	Mark Ln	Yield
13	Mark Ln 55 <sup>th</sup> Pl	55 <sup>th</sup> Pl	Yield

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
13	Kenmore Rd 50 <sup>th</sup> Pl	50 <sup>th</sup> Pl	Stop
13	Kenmore Rd 55 <sup>th</sup> Pl	55 <sup>th</sup> Pl	Stop
13	Mark Ln 52 <sup>nd</sup> St	Mark Ln	Stop
13	Mark Ln 55 <sup>th</sup> Pl	55 <sup>th</sup> Pl	Stop
13	Moonlight Dr (WB) 52 <sup>nd</sup> Pl	52 <sup>nd</sup> St	Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 215, 2004 was retitled GENERAL ORDINANCE NO. 20, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Combs Rd Southern Ridge Dr	Combs Rd	Stop
48	Sand Ridge Cir Southern Ridge Dr	Southern Ridge Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 216, 2004 was retitled GENERAL ORDINANCE NO. 21, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 21, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

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SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Earlswood Dr Southport Rd	Southport Rd	Stop
45	Earlswood Dr Everbloom Pl	None	All Way Stop
45	Earlswood Dr Waverhill Dr	Earlswood Dr	Stop
45	Earlswood Dr Earlswood Ln Waverhill Dr	Earlswood Dr Earlswood Ln	Stop
45	Earlswood Ln Everbloom Ln	None	All Way Stop
45	Everbloom Ln Everbloom Way	Everbloom Ln	Stop
45	Everbloom Pl Youngberry Dr	Everbloom Pl	Stop
45	Southport Rd Youngberry Dr	Southport Rd	Stop
45	Youngberry Ct Youngberry Dr	Youngberry Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 217, 2004 was retitled GENERAL ORDINANCE NO. 22, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 22, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Allegan Dr Delaway Ln	Delaway Ln	Stop
45	Corbin Dr Dawnlake Dr	Dawnlake Dr	Stop
45	Corbin Dr Harness Lakes Dr	Harness Lakes Dr	Stop
45	Corbin Dr Red Lake Ct	Corbin Dr	Stop
45	Delaway Ln Harness Lakes Dr	Harness Lakes Dr	Stop

45	Harness Lakes Dr Southport Rd	Southport Rd	Stop
45	Harness Lakes Dr Tapwood Ln	None	All Way Stop
45	Harness Lakes Dr Tibbs Av	Tibbs Av	Stop
45	Red Lake Ct Tapwood Ln	Red Lake Ct	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 218, 2004 was retitled GENERAL ORDINANCE NO. 23, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 23, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	Canapple Dr Orchard Valley Ln	Orchard Valley Ln	Stop
21	Canapple Dr Orchard Valley Way	Orchard Valley Way	Stop
21	Crabtree Ct German Church Rd	German Church Rd	Stop
21	Orchard Valley Blvd 42 <sup>nd</sup> St	42 <sup>nd</sup> St	Stop
21	Orchard Valley Blvd Orchard Valley Way	Orchard Valley Blvd	Stop
21	Orchard Valley Ln 42 <sup>nd</sup> St	42 <sup>nd</sup> St	Stop
21	Orchard Valley Ln Orchard Valley Way	Orchard Valley Ln	Stop
21	Orchard Valley Ln Sterling Apple Dr	Sterling Apple Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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Proposal No. 219, 2004 was retitled GENERAL ORDINANCE NO. 24, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 24, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Banta Rd Newstead Dr	Banta Rd	Stop
45	Banta Rd Sonesta Dr	Banta Rd	Stop
45	Brassica Ln Newstead Dr	Newstead Dr	Stop
45	Brassica Ln Sonesta Dr	Sonesta Dr	Stop
45	Brassica Way Newstead Dr	Newstead Dr	Stop
45	Brassica Way Sonesta Dr	Sonesta Dr	Stop
45	Newstead Dr Sonesta Ln	Newstead Dr	Stop
45	Newstead Dr Sonesta Way	Newstead Dr	Stop
45	Sonesta Dr Sonesta Ln	Sonesta Dr	Stop
45	Sonesta Dr Sonesta Way	Sonesta Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 220, 2004 was retitled GENERAL ORDINANCE NO. 25, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 25, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Banta Rd Black Antler Dr	Banta Rd	Stop
45	Banta Rd Redland Dr	Banta Rd	Stop
45	Banta Rd Redland Way	Banta Rd	Stop
45	Black Antler Cir Redland Ln	Redland Ln	Stop
45	Black Antler Ct Black Antler Dr	Black Antler Dr	Stop
45	Black Antler Dr Redland Ln	Black Antler Dr	Stop
45	Redland Dr Redland Ln	Redland Ln	Stop
45	Redland Ln Redland Way	Redland Way	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 221, 2004 was retitled GENERAL ORDINANCE NO. 26, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 26, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Applebranch Ct Applebranch Ln Applebranch Way	Applebranch Ln Applebranch Way	Stop
41	Applebranch Way Front Point Dr	Front Point Dr	Stop
41	Applebranch Ln Woodland Trace Blvd	None	All Way Stop
41	Chambers Ct Woodland Trace Blvd	Woodland Trace Blvd	Stop
41	Edgewood Ave Woodland Trace Blvd	Edgewood Ave	Stop
41	Front Point Ct Front Point Dr	Front Point Dr	Stop

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41	Front Point Dr Olive Branch Way	Front Point Dr	Stop
41	Front Point Dr Woodland Trace Blvd	Front Point Dr	Stop
41	Olive Branch Ct Olive Branch Way	Olive Branch Way	Stop
41	Olive Branch Ln Olive Branch Way Woodland Trace Blvd	None	All Way Stop
41	Saybrooke Ct Woodland Trace Blvd	Woodland Trace Blvd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 222, 2004 was retitled GENERAL ORDINANCE NO. 27, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
34	Abaca Ct Abaca Way	Abaca Way	Stop
34	Abaca Way Pavetto Ln	Pavetto Ln	Stop
34	Capsella Ln Selago Dr	Selago Dr	Stop
34	Carica Dr Pavetto Ln	Carica Dr	Stop
34	Cassara Dr Parkia Ct	Cassara Dr	Stop
34	Cassara Dr Selago Dr	Selago Dr	Stop
34	Cassara Dr Troy Av	Troy Av	Stop
34	Pavetto Ln Selago Dr	Selago Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 223, 2004 was retitled GENERAL ORDINANCE NO. 28, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Giroud Pl Kita Dr	Giroud Pl	Stop
48	Giroud Pl Norma Jean Dr	Giroud Pl	Stop
48	Giroud Pl Samuel Dr	None	All Way Stop
48	Giroud Way Norma Jean Dr	Giroud Way	Stop
48	Giroud Way Samuel Dr	Samuel Dr	Stop
48	Kita Dr Samuel Dr	Samuel Dr	Stop
48	Mathews Rd Samuel Dr	Mathews Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 224, 2004 was retitled GENERAL ORDINANCE NO. 29, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 29, 2004

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-106, Obstruction of sidewalks, grassplots, crosswalks or other public spaces.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-108, 621-106, Obstruction of sidewalks, grassplots, crosswalks or other public spaces, be and the same is hereby amended by the addition of the following, to wit:

*White River Parkway E. Drive, on both sides, from  
West Street to Morris Street*

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 225, 2004. The proposal, sponsored by Councillor Abdullah, authorizes a permanent parking restriction change for the Downtown Federal Buildings (District 15). By a 6-0



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vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst said that he disagreed back at the time the temporary signs were put up to restrict parking around the Federal Building, and he disagrees now. He said that he believes the public needs better access to the services offered, and limited parking makes it more complicated for citizens to do routine business.

Councillor Bradford stated that there was a lot of division at the time the meters were covered in response to the Oklahoma City bombing, but he feels that since the September 11 bombing, these signs continue to serve as a reminder to employees that their lives could be at risk at any time. He said that the removal of these meters was delayed last year due to construction projects and it is time to move forward.

Councillor Conley moved, seconded by Councillor Abdullallah, for adoption. Proposal No. 225, 2004 was adopted on the following roll call vote; viz:

*23 YEAS: Abdullallah, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Speedy, Talley*  
*6 NAYS: Borst, Franklin, Gray, Nytes, Plowman, Schneider*

Proposal No. 225 2004 was retitled GENERAL ORDINANCE NO. 30, 2004, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 30, 2004

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-124, Parking prohibited during specified hours on certain days; Sec. 621-202, Parking meter zones designated; and Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-124, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the deletion of the following, to wit:

**ON ANY DAY EXCEPT  
SATURDAYS, SUNDAYS AND HOLIDAYS  
From 7:00 a.m. to 6:00 p.m.**

Michigan Street, on the north side, from  
New Jersey Street to Pennsylvania Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the deletion of the following, to wit:

**TWO HOURS**

Meridian Street, on the east side, from  
Ohio Street to a point 109 feet south of St. Joseph Street

Meridian Street, on the west side, from  
200 feet south of St. Joseph Street to Ohio Street

Pennsylvania Street, on the east side, from  
Tenth Street to a point 145 feet south of New York Street

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Pennsylvania Street, on the west side, from  
Eleventh Street to Court Street

SECTION 3. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Meridian Street, on the east side, from  
Ohio Street to New York Street

Meridian Street, on the west side, from  
Ohio Street to a point 165 feet north of Ohio Street

Michigan Street, on the north side, from  
Pennsylvania Street to Delaware Street

Pennsylvania Street, on the east side, from  
Michigan Street to North Street

SECTION 4. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-124, Parking prohibited during specified hours on certain days, be and the same is hereby amended by the addition of the following, to wit:

**ON ANY DAY EXCEPT  
SATURDAYS, SUNDAYS AND HOLIDAYS  
From 7:00 a.m. to 6:00 p.m.**

Michigan Street, on the north side, from  
New Jersey Street to Delaware Street

SECTION 5. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-202, Parking meter zones designated, be and the same is hereby amended by the addition of the following, to wit:

Meridian Street, on the east side, from  
New York Street to a point 109 feet south of St. Joseph Street

Meridian Street, on the west side, from a point 165 feet north of  
Ohio Street to a point 200 feet south of St. Joseph Street

Pennsylvania Street, on the east side, from  
a point 145 feet south of New York Street to Michigan Street

Pennsylvania Street, on the east side, from  
North Street to Tenth Street

Pennsylvania Street, on the west side, from  
Court Street to Ohio Street

Pennsylvania Street on the west side, from  
New York Street to Eleventh Street

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

**SPECIAL SERVICE DISTRICT COUNCILS  
FIRE SPECIAL SERVICE DISTRICT  
SPECIAL ORDERS - PUBLIC HEARING**

President Boyd convened the Fire Special Service District Council.

PROPOSAL NO. 201, 2004. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 201, 2004 on April 14, 2004. The proposal, sponsored by Councillors Talley, Moriarty Adams and McWhirter, approves an increase of

April 26, 2004

\$2,313 in the 2004 Budget of the Department of Public Safety, Fire Division (Fire General Fund), to continue the SAFE KIDS BUCKLE UP Child Safety Seat Inspection Station (CSSIS) program at Fire Station #31, which provides suitable car seats and education on their use to citizens, financed by private donations. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Boyd called for public testimony at 8:15 p.m.

Rev. Pinkney asked if there is a cost for the poor in need of car seats. Councillor Moriarty Adams said that the program is funded through private donations.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Talley, for adoption. Proposal No 201, 2004 was adopted on the following roll call vote; viz:

*26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Speedy, Talley*  
*1 NAYS: Schneider*  
*2 NOT VOTING: Gray, Salisbury*

Proposal No. 201, 2004 was retitled FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2004, and reads as follows:

CITY-COUNTY FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2004

A FISCAL ORDINANCE amending the City-County Fire Special Service District Annual Budget for 2004 (City-County Fire Special Service District Fiscal Ordinance No. 7, 2003) appropriating an additional Two Thousand Three Hundred and Thirteen Dollars (\$2,313) in the Fire General Fund for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the Fire General Fund.

BE IT ORDAINED BY THE FIRE SPECIAL SERVICE DISTRICT COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the City-County Fire Special Service District Annual Budget for 2004 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Fire Division to continue the SAFE KIDS BUCKLE UP Child Safety Seat Inspection Station (CSSIS) program at Fire Station #31, which provides suitable car seats and education on their use to citizens, financed by private donations.

SECTION 2. The sum of Two Thousand Three Hundred and Thirteen Dollars (\$2,313) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

2. Supplies  
3. Other Services and Charges  
TOTAL INCREASE

FIRE GENERAL FUND

515  
1,798  
2,313

SECTION 4. The said additional appropriation is funded by the following reductions:

FIRE GENERAL FUND

Unappropriated and Unencumbered  
Fire General Fund  
TOTAL REDUCTION

2,313  
2,313

SECTION 5. The projected December 31, 2004, fund balance for the Fire General Fund is as follows:

Estimated cash balance as of January 1, 2004	8,257,564
Estimated revenues 2004	49,208,862
2003 carryover year end receivables	47,713
2003 carryover year end payables	145
2004 New Revenues	<u>2,313</u>
Projected funds available	57,516,597
2004 appropriations	56,210,621
2004 Carryover appropriations	771,184
Proposed additional appropriation (Proposal No. 201, 2004)	<u>2,313</u>
Total Requirements	56,984,118
Projected fund balance December 31, 2004	532,478

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

President Boyd re-convened the City-County Council.

### **NEW BUSINESS**

Councillor Cockrum stated that all Councillors wishing to attend the Scarborough Peace Games need to let the Clerk know before May 1<sup>st</sup>, so that she can arrange for travel as necessary.

### **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Randolph in memory of Hazel Cook, Gina Sheree Lane, Ricky Harris, Jr., and Eleanor M. Coulter; and
- (2) Councillor Schneider in memory of Reverend Bruce A. Buckley.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Hazel Cook, Gina Sheree Lane, Ricky Harris, Jr., Eleanor M. Coulter and Reverend Bruce A. Buckley. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:58 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of April, 2004.

*April 26, 2004*

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

